

REMARKS

Entry and consideration of this paper are requested pursuant to 37 C.F.R. § 1.116. By this paper, independent claims 1, 8, and 15 are amended further. New claims 17-19 have been added.

Claim Rejection Under 35 U.S.C. § 112

Claims 1, 2, 4-9, and 11-15 have been rejected under 35 U.S.C. § 112, second paragraph, as purportedly indefinite. This rejection is submitted as inapplicable to independent claim 8 and its dependent claims 9 and 11-14 because the term “control value operation means” does not appear in this set of method claims. The rejection is overcome as to independent claims 1 and 15 by amendment thereof. As amended, claims 1 and 15 refer to Applicant’s “control value operation unit”, which should be considered as corresponding to Control Value Operating Unit 4 in Applicant’s exemplary, preferred embodiment of Fig. 1. In view of the foregoing comments, and the present amendment of claims 1 and 15, the rejection based upon 35 U.S.C. § 112 is overcome. Its withdrawal courteously is solicited.

Claim Rejection Under 35 U.S.C. § 103

All of previously-pending claims 1, 2, 4-9, and 11-15 have been rejected under 35 U.S.C. § 103(a) as purportedly obvious over U. S. Publication No. 2001/0023393 (hereinafter Hagiwara) in view of the article by Butler et al. (hereinafter Butler). This rejection respectfully is traversed.

With respect to page 14, numbered item 11 of the October 13th Action, the Examiner’s comments concerning the breadth of the phase “according to a point-and-drag operation by an operator to obtain a new control value” were well taken. As such, claims 1, 8, and 15 now have been amended to provide details of Applicant’s “point-and-drag operation” to clearly, patentably distinguish over the asserted combination of Hagiwara and Butler. As amended, the independent claims now specifically define Applicant’s “point-and-drag operation” as including (i) specifying

a range within the time-series graph, which range is to be altered, as well as (ii) specifying what extent of alteration is to be done for the control value within such range. This comes directly from Applicant's specification, for instance, paragraph [0067] which refers to Applicant's exemplary operation illustrated in Fig. 6. As shown in Fig. 6, and as well explained in paragraph [0067], the range shown in Fig. 6(b) is chosen by an operator for alteration by the operator's manipulation of his computer mouse. This selects the range for alteration from the overall graph of control values shown in Fig. 6(a). Once the operator has specified such range, the operator chooses whether to increase or decrease the control value. In Fig. 6(c), the operator has chosen to increase the control value, again by dragging a pointer on his display screen and manipulating his mouse.

Nothing in either Hagiwara or Butler teaches or suggests Applicant's manner of "point-and-drag operation" control as now required in each of the independent claims. The October 13th Action admits that Hagiwara fails to expressly disclose updates in connection with a "point-and-drag operation". However, Butler cannot remedy this deficiency of Hagiwara because Butler does not suggest Applicant's "point-and-drag operation" as now defined in claims 1, 8, and 15. Accordingly, the rejection over Hagiwara and Butler is overcome. Such rejection should be withdrawn.

Lastly, new claims 17-19 also are presented to recite even further details of Applicant's control value updating manner by his recited "point-and-drag operation". Each of claims 17-19 defines the control value alteration specifically as an increase or a decrease of the control value, within the selected range. Claims 17-19 depend from claims 1, 8, and 15 respectively.

In view of the foregoing amendments and remarks, it courteously is urged that all of the claims are allowable, and that this application now is condition for allowance. Favorable action in this regard earnestly is solicited.

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